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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/158,031 11/26/93 FILEPP

E3M1/0421

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EXAMINER
HERNDON, H

ART UNIT	PAPER NUMBER
	2

2301
DATE MAILED:

04/21/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-17 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1-17 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Art Unit: 2301

1. Applicant is reminded of the proper language and format of an Abstract of the Disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said", should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," *etc.*

The present Abstract of the Invention utilizes legal phraseology and is not considered to be narrative in form.

2. The applicants are requested to update the information recited in the section of the application labelled "Related Applications" and on page 59, last paragraph.

3. The drawings are objected to because the specification is not consistent with the numerical labelling in the drawings. For example, on page 8, lines 20-21 recite a "reception layer 401" as being in Figure 1. The "Reception System" shown in Figure 1, however is labelled as 400. Correction is required.

4. The disclosure is objected to because of the following informalities: on page 8, lines 24-25, "each or which" appears to be a typographical mistake. Appropriate correction is required.

The applicant is requested to proofread the specification to ensure consistency of labelling in the drawings as well as checking for correct grammatical language.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Mastering Windows 3.0, by Robert Cowart pp 6²⁷ (herein after Windows).

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As per independent claim 1, Windows discloses a system for generating a screen display that includes a plurality of partitions (windows), a first partition for presenting applications (Windows and Non-Windows applications), and a second partition for presenting a group of command functions (File and Options) for manipulating the screen display. It is noted that the claim limitations do not *positively recite* any specific method steps which would be necessary for running an interactive service on a network which would distinguish over Windows.

As per the limitations of the dependent claims 2-11, Windows fully discloses providing the command functions with a command for moving between available applications (alt+tab) as well as using the mouse to select desired applications. Windows also discloses a File Manager where a user can search for a desired application or use the index of available applications.

As per dependent claims 12-17, Windows fully discloses the ability of using three windows for displaying desired applications and interacting among the applications.

6. No claims are allowed.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather Herndon whose telephone number is (703) 305-9793.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Heather R. Herndon

Primary Examiner

Art Unit 2301

April 17, 1994